

still not persuaded after reviewing the following reasons for the Undersign's contention, the Undersign will then attempt to write a new title.

It is submitted that the title of "Internet Payment, Authentication and Loading System Using Virtual Smart Card" describes independent claim 1 which relates to the use of virtual smart cards to conduct on-line transactions. In one embodiment, "on-line" can refer to use of the Internet. It is submitted that the terms "payment, authentication and loading" of the title also describe dependent claims 5, 7, and 6, respectively. Since the title describes independent claim 1 and dependent claims 5-7, it is submitted that the title sufficiently describes the claimed inventions. It is respectfully requested that the requirement of supplying a new title be withdrawn.

OBJECTIONS TO THE DRAWINGS

The objections to the drawings by the Draftsperson dated December 9, 1999, have been noted. The Applicant will prepare formal versions of the submitted drawings and submit them when finalized.

REJECTION OF CLAIMS 1-8 UNDER 35 U.S.C. § 102

The present invention of claim 1 pertains to a server to facilitate the use of a virtual, as opposed to a physical, smart card. The virtual smart card is implemented in part with a smart card emulator, as required in claim 1. The Examiner points to col. 10, line 60-col. 12, line 31, of Ishiguro et al. to show a smart card emulator. However, it is respectfully submitted that this citation does not teach or suggest a smart card emulator. Specifically, this citation describes procedures employed to issue or recharge a physical smart card. See col. 10, lines 66-68, which discusses the action of inserting an IC card 6 into an IC card dispenser 5. Actually, the entirety of Ishiguro et al. relates to physical smart cards and not to virtual smart cards.

Considering that Ishiguro et al. relates to physical smart cards, it follows that Ishiguro et al. also fails to teach or suggest a pseudo card reader module that relays commands to the smart card emulator, as recited in claim 1.

Since Ishiguro et al. fails to teach or suggest at least a smart card emulator and a pseudo card reader module as required in claim 1, it is respectfully submitted that claim 1 is patentably distinct from Ishiguro et al. Since claims 2-8 depend from claim 1, it is submitted that dependent

claim 2-8 are likewise patentably distinct from Ishiguro et al. for at least the same reasons.

SUMMARY

It is respectfully submitted that all pending claims are allowable and that this case is now in condition for allowance. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

If any fees are due in connection with the filing of this Amendment, the Commissioner is authorized to deduct such fees from the undersigned's Deposit Account No. 500388 (Order No. VISAP016).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Phillip P. Lee
Reg. No. 46,866

BEYER WEAVER & THOMAS, LLP
P.O. Box 778
Berkeley, CA 94704-0778

Telephone: (510) 843-6200
Facsimile: (510) 843-6203